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PARK CITY MUNICIPAL CORPORATION MUNICIPAL CODE

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TITLE 15 - LAND MANAGEMENT CODE CHAPTER 2.2 HISTORIC RESIDENTIAL (HR-1) DISTRICT

Chapter adopted by Ordinance No. 00-15

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15-2.2-1. PURPOSE.

The purpose of the Historic Residential HR-I District is to:

- (A) preserve present land Uses and character of the Historic residential Areas of Park City,
- (B) encourage the preservation of Historic Structures,
- (C) encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- (D) encourage Single Family Development on combinations of 25' x 75' Historic Lots,
- (E) define Development parameters that are consistent with the General Plan policies for the Historic Core, and
- (F) establish Development review criteria for new Development on Steep Sites.

15-2.2-2. USES.

Uses in the HR-1 District are limited to the following:

(A) **ALLOWED USES**

- (1) Single Family Dwelling
- (2) Lockout Unit (Nightly Rental requires a Conditional Use Permit (CUP))
- (3) Nightly Rental
- (4) Home Occupation
- (5) Child Care, In-Home Babysitting (See LMC Chapter 15-4-9 for Child Care Regulations)
- (6) Child Care, Family (See LMC Chapter 15-4-9 for Child Care Regulations)
- (7) Child Care, Family Group (See LMC Chapter 14 for Child Care Regulations)
- (8) Accessory Building and Use
- (9) Conservation Activity

(10) Agriculture

(11) Residential Parking Area or Structure, with four (4) or fewer spaces

(B) **CONDITIONAL USES.**

(1) Duplex Dwelling

(2) Guest House on Lots one (1) acre or greater

(3) Secondary Living Quarters

(4) Accessory Apartment (See LMC Chapter 15-4-7)

(5) Group Care Facility

(6) Child Care Center

(7) Public and Quasi-Public Institution, church and school

(8) Essential Municipal Public Utility Use, Facility, Service, and Structure

(9) Telecommunication Antenna (See LMC Chapter 15-4-14)

(10) Satellite Dish, greater than thirty-nine inches (39") diameter (See LMC Chapter 15-4-13)

(11) Bed and Breakfast Inn (In Historic Structures only. Parking requirements of Chapter 15-3 apply.)

(12) Boarding House, Hostel (In Historic Structures only. Parking requirements of Chapter 15-3 apply.)

(13) Hotel, Minor, (Fewer than sixteen (16) rooms; In Historic Structures only. Parking requirements of Chapter 15-3 apply.)

(14) Residential Parking Area or Structure with five (5) or more spaces.

(15) Temporary Improvement (Subject to an Administrative Conditional Use Permit)

(16) Passenger Tramway Station and Ski Base Facility (See LMC Chapter 15-4-18, Passenger Tramways and Ski-base Facilities)

(17) Ski Tow, Ski Lift, Ski Run, and Ski Bridge (See LMC Chapter 15-4-18, Passenger Tramways and Ski-base Facilities)

(18) Recreation Facility, Private

(19) Fence over six feet (6') in height. (Subject to Administrative Conditional Use permit) (See LMC Chapter 15-4-2, Fences and Walls)

(C) **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

(Amended by Ord. Nos. 06-56; 07-25)

15-2.2-3 LOT AND SITE REQUIREMENTS.

Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on a private easement connecting the Lot to a Street shown on the Streets Master Plan.

Minimum Lot and Site requirements are as follows:

(A) **LOT SIZE.** The minimum Lot Area is 1,875 square feet for a Single Family Dwelling and 3,750 square feet for a Duplex. The minimum width of a Lot is twenty five feet (25'), measured fifteen feet (15') back from the Front Lot Line. In the case of unusual Lot configurations, Lot width measurements shall be determined by the Planning Director.

(B) **BUILDING ENVELOPE (HR-1 DISTRICT).** The Building Pad, Building Footprint and height restrictions define the maximum Building Envelope within which all Development must occur, with exceptions as allowed by Section 15-2.2-3(C).

(1) The Building Footprint must be within the Building Pad. The remainder of the Building Pad must be open and free of any other Structure except:

(a) Porches or decks, with or without roofs;

(b) At Grade patios;

(c) Upper level decks, with or without roofs;

(d) Bay Windows;

(e) Chimneys;

(f) Sidewalks, pathways, and steps;

(g) Screened hot tubs; and

(h) Landscaping.

(2) Exceptions to the Building Pad area are subject to Planning Director approval based on a determination that the proposed exceptions result in a design that:

(a) provides increased architectural interest consistent with the Historic District Design Guidelines; and

(b) maintains the intent of this section to provide horizontal and vertical Building articulation.

(C) **BUILDING PAD (HR-1 DISTRICT)**. The Building Pad is the Lot Area minus required Front, Rear, and Side Yard Areas.

(D) **BUILDING FOOTPRINT (HR-1 DISTRICT)**. The maximum Building Footprint for any Structure located on a Lot or combination of Lots, not exceeding 18,750 square feet in Lot Area, shall be calculated according to the following formula for Building Footprint, illustrated in Table 15-2.2. The maximum Building Footprint for any Structure located on a Lot or combination of Lots, exceeding 18,750 square feet in Lot Area, shall be 4,500 square feet; with an exemption allowance of 400 square feet per dwelling unit for garage floor area. A Conditional Use permit is required for all Structures with a proposed footprint of greater than 3,500 square feet.

$$\text{MAXIMUM FP} = (A/2) \times 0.9^{A/1875}$$

Where FP= maximum Building Footprint and A= Lot Area.

Example: 3,750 sq. ft. lot: $(3,750/2) \times 0.9^{(3750/1875)} = 1,875 \times 0.81 = 1,519$ sq. ft.

See the following Table 15-2.2. for a schedule equivalent of this formula.

TABLE 15-2.2.

Lot Depth, <= ft.	Lot Width, ft. Up to:	Side Yards		Lot Area Sq. ft.	Bldg. Pad Sq. ft.	Max. Bldg. Footprint
		Min. Total, ft.				
75 ft.	25.0	3 ft.	6 ft.	1,875	1,045	844
75 ft.	37.5	3 ft.	6 ft.	2,813	1,733	1,201
75 ft.	50.0	5 ft.	10 ft.	3,750	2,200	1,519
75 ft.	62.5	5 ft.	14 ft.	4,688	2,668	1,801
75 ft.	75.0	5 ft.	18 ft.	5,625	3,135	2,050
75 ft.	87.5	10 ft.	24 ft.	6,563	3,493	2,270
75 ft.	100.0	10 ft.	24 ft.	7,500	4,180	2,460
75 ft.	Greater than 100.0	10 ft.	30 ft.	Greater than 75 ft.	Per Setbacks and Lot Area	Per formula

(E) **FRONT AND REAR YARDS**. Front and Rear Yards are as follows:

TABLE 15-2.2a

Lot Depth Minimum Front/Rear Setback Total of Setbacks

Up to 75 ft., inclusive	10 ft.	20 ft.
From 75 ft. to 100 ft.	12 ft.	25 ft.
Over 100 ft.	15 ft.	30 ft.

(F) **FRONT YARD EXCEPTIONS**. The Front Yard must be open and free of any Structure except:

(1) Fences or walls not more than four feet (4') in height, or as permitted in Section 15-4-2, Fences and Walls. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection, at back of curb.

(2) Uncovered steps leading to the Main Building; provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by obstructing the view of the Street or intersection.

(3) Decks, porches or Bay Windows not more than ten feet (10') wide, projecting not more than three feet (3') into the Front Yard.

(4) Roof overhangs, eaves or cornices projecting not more than two feet (2') into the Front Yard.

(5) Sidewalks and pathways.

(6) Driveways leading to a Garage or Parking Area. No portion of a Front Yard, except for patios, driveways, allowed Parking Areas and sidewalks, may be Hard-Surfaced or graveled.

(G) **REAR YARD EXCEPTIONS**. The Rear Yard must be open and free of any Structure except:

(1) Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Rear Yard.

- (2) Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Rear Yard.
- (3) Window wells or light wells extending not more than four feet (4') into the Rear Yard.
- (4) Roof overhangs or eaves projecting not more than two feet (2') into the Rear Yard.
- (5) Window sills, belt courses, trim, cornices, or other ornamental features projecting not more than six inches (6") into the Rear Yard.
- (6) Detached Accessory Buildings not greater than eighteen feet (18') in height and maintaining a minimum Rear Yard Setback of one foot (1'). Such Structure must not cover over fifty percent (50%) of the Rear Yard.
- (7) Hard-Surfaced Parking Areas subject to the same location requirements as a Detached Accessory Building.
- (8) Screened mechanical equipment, hot tubs, and similar Structures located at least five feet (5') from the Rear Lot Line.
- (9) Fences, walls, or retaining walls not over six feet (6') in height, or as permitted in Section 15-4-2, Fences and Walls. (A Fence over six feet (6') in height requires a Conditional Use permit (CUP))
- (10) Patios, decks, steps, or similar Structures not more than thirty inches (30") above Final Grade, located at least one foot (1') from the Rear Lot Line.
- (j) Pathways or steps connecting to a City staircase or pathway.

(H) **SIDE YARDS.**

- (1) The minimum Side Yard is three feet (3'), but increases for Lots greater than thirty seven and one-half feet (37.5') in Width, as per **Table 15-2.2.** above.
- (2) On Corner Lots, any Yard which faces a Street may not have a Side Yard less than five feet (5').

(I) **SIDE YARD EXCEPTIONS.** The Side Yard must be open and free of any Structure except:

- (1) Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Side Yard. (Applies only to Lots with a minimum Side Yard of five feet (5').
- (2) Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Side Yard. (Applies only to Lots with a minimum Side Yard of five feet (5').
- (3) Window wells or light wells projecting not more than four feet (4') into the Side Yard. (Applies only to Lots with a minimum Side Yard of five feet (5').
- (4) Roof overhangs or eaves projecting not more than two feet (2') into the Side Yard. A one foot (1') roof or reave overhang is permitted on Lots with a Side Yard of less than five feet (5').
- (5) Window sills, belt courses, trim, cornices, or other ornamental features projecting not more than six inches (6") into the Side Yard.
- (6) Decks, patios, pathways, or steps not over thirty inches (30") in height from Final Grade, provided there is at least a one foot (1') Setback to the Property Line. (Applies only to Lots with a Side Yard of five feet (5') or greater.)
- (7) Fences, walls, or retainings wall not more than six feet (6') in height, or as permitted in Section 15-4-2, Fences and Walls. (A Fence over six feet (6') in height requires a Conditional Use permit (CUP)).
- (8) Driveways leading to a garage or Parking Area.
- (9) Pathway or steps connecting to a City staircase or pathway.
- (10) Detached Accessory Buildings not greater than eighteen feet (18') in height, located a minimum of five feet (5') behind the Front facade of the Main Building, maintaining a minimum Side Yard setback of three feet (3').
- (11) Screened mechanical equipment, hot tubs, and similar Structures located a minimum of five feet (5') from the Side Lot Line.

(J) **SNOW RELEASE.** Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.

(K) **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet (2') in height above road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

(Amended by Ord. No. 06-56)

15-2.2-4. EXISTING HISTORIC STRUCTURES.

Historic Structures that do not comply with Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures. Additions to Historic Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or an Accessory Apartment. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height. All Conditional Uses shall comply with parking requirements of Chapter 15-3.

(A) **EXCEPTION.** In order to achieve new construction consistent with the Historic District Design Guidelines, the

Planning Commission may grant an exception to the Building Setback and driveway location standards for additions to Historic Buildings:

- (1) Upon approval of a Conditional Use permit,
- (2) When the scale of the addition or driveway is Compatible with the Historic Structure,
- (3) When the addition complies with all other provisions of this Chapter, and
- (4) When the addition complies with the International Building and Fire Codes.

(Amended by Ord. Nos. 06-56; 07-25)

15-2.2-5. BUILDING HEIGHT.

No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height. In cases where due to excavation Final Grade is lower than Existing Grade, Building Height shall be measured from Final Grade around the perimeter of the Building. This measure shall not include approved window wells.

(A) **BUILDING HEIGHT EXCEPTIONS.** The following exceptions apply:

- (1) Antennas, chimneys, flues, vents, or similar Structures, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.
- (2) Water towers, mechanical equipment, and associated Screening, when Screened or enclosed, may extend up to five feet (5') above the height of the Building.
- (3) To accommodate a roof form consistent with the Historic District Design Guidelines, the Planning Director may grant additional Building Height provided that no more than twenty percent (20%) of the roof ridge line exceeds the height requirement.

(Amended by Ord. No. 06-56)

15-2.2-6. DEVELOPMENT ON STEEP SLOPES.

Development on Steep Slopes must be environmentally sensitive to hillside Areas, carefully planned to mitigate adverse effects on neighboring land and Improvements, and consistent with the Historic District Design Guidelines.

(A) **ALLOWED USE.** An allowed residential Structure and/or Access to said Structure located upon an existing Slope of thirty percent (30%) or greater must not exceed a total square footage of one thousand square feet (1,000 sq. ft.) including the garage.

(B) **CONDITIONAL USE.** A Conditional Use permit is required for any Structure in excess of one thousand square feet (1,000 sq. ft.) if said Structure and/or Access is located upon any existing Slope of thirty percent (30%) or greater.

The Planning Department shall review all Conditional Use permit Applications and forward a recommendation to the Planning Commission. The Planning Commission shall review all Conditional Use permit Applications as Consent Calendar items, unless the Planning Commission removes the item from the Consent Agenda and sets the matter for a Public Hearing. Conditional Use permit Applications shall be subject to the following criteria:

- (1) **LOCATION OF DEVELOPMENT.** Development is located and designed to reduce visual and environmental impacts of the Structure.
- (2) **VISUAL ANALYSIS.** The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points:
 - (a) To determine potential impacts of the proposed Access, and Building mass and design; and
 - (b) To identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities.
- (3) **ACCESS.** Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways and Parking Areas, and side Access to garages are strongly encouraged.
- (4) **TERRACING.** The project may include terraced retaining Structures if necessary to regain Natural Grade.
- (5) **BUILDING LOCATION.** Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and to provide variation of the Front Yard.
- (6) **BUILDING FORM AND SCALE.** Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Director and/or Planning Commission may require a garage separate from the main Structure or no garage.
- (7) **SETBACKS.** The Planning Department and/or Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures.
- (8) **DWELLING VOLUME.** The maximum volume of any Structure is a function of the Lot size, Building Height,

Setbacks, and provisions set forth in this Chapter. The Planning Department and/or Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures.

(9) **BUILDING HEIGHT (STEEP SLOPE).** The maximum Building Height in the HR-1 District is twenty-seven feet (27'). The Planning Department and/or Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures.

(10) **HEIGHT EXCEPTIONS (STEEP SLOPE).** The Planning Department and/or Planning Commission may grant a Building Height exception for a portion or portions of a proposed Structure if the Applicant proves compliance with each of the following criteria:

- (a) The height exception does not result in a height in excess of forty feet (40').
- (b) The proposed Building includes horizontal and vertical step backs to achieve increased Building articulation and Compatibility. The Planning Commission may refer the proposal to the Historic Preservation Board, prior to taking action, for a recommendation on the extent to which the proposed articulation and design are consistent with the Historic District Design Guidelines.
- (c) The proposed design and articulation of the Building mass mitigates the project's visual impacts and differences in scale between the proposed Structure and nearby residential Structures.
- (d) Snow release issues are resolved to the satisfaction of the Chief Building Official.
- (e) A height reduction in other portions of the Building and/or increased Setbacks are incorporated.
- (f) The height exception is not granted primarily to create additional Building Area.
- (g) The height exception enhances the Building's Compatibility with residential Structures by adding architectural interest to the garage element, front facade, porch, or other Building element.
- (h) The height exception is Compatible with good planning practices and good Site design.
- (i) The height increase will result in a superior plan and project.
- (j) The project conforms to Chapter 15-1-10, Conditional Use Review.

(C) **EXCEPTION.** In conjunction with a Subdivision or Plat Amendment, several Property Owners have undergone a review process comparable to that listed in the Conditional Use Section B above and the City does not seek to subject those Owners to additional Planning Commission review. Therefore, at the request of the Owner, the Planning Director may exempt an allowed residential Structure in excess of one thousand square feet (1,000 sq. ft.) from the Conditional Use process upon finding the following:

- (1) The Lot resulted from a Subdivision or Plat Amendment after January 1, 1995;
- (2) The conditions of approval or required Plat notes reflect a maximum house size or Building Footprint; and
- (3) The conditions of approval or required Plat notes include a requirement for Planning, Engineering and Building Department review of Grading, excavation, erosion, or similar criteria as found in the foregoing Section B, prior to Building Permit issuance.

The findings shall be in writing, filed with the Owner and City Planning Department, and shall state that the maximum house size and all other applicable regulations continue to apply, the Owner is not vested for the maximum.

(Amended by Ord. No. 06-56)

15-2.2-7. PARKING REGULATIONS.

- (A) Tandem Parking is allowed in the Historic District.
- (B) Common driveways are allowed along shared Side Yard Property Lines to provide Access to Parking in the rear of the Main Building or below Grade if both Properties are deed restricted to allow for the perpetual Use of the shared drive.
- (C) Common Parking Structures are allowed as a Conditional Use permit where it facilities:
 - (1) the Development of individual Buildings that more closely conform to the scale of Historic Structures in the District; and
 - (2) the reduction, mitigation or elimination of garage doors at the Street edge.
- (D) A Parking Structure may occupy below Grade Side Yards between participating Developments if the Structure maintains all Setbacks above Grade. Common Parking Structures requiring a Conditional Use Permit are subject to a Conditional Use review, Chapter 15-1-10.
- (E) Driveways between Structures are allowed in order to eliminate garage doors facing the Street, to remove cars from on-Street parking, and to reduce paved Areas, provided the driveway leads to an approved garage or Parking Area.
- (F) Turning radii are subject to review by the City Engineer as to function and design.

(Amended by Ord. No. 06-56)

15-2.2-8. ARCHITECTURAL REVIEW.

(A) **REVIEW.** Prior to the issuance of a Building Permit, including footing and foundation, for any Conditional or Allowed Use within this District, the Planning Department shall review the proposed plans for compliance with Historic District Design Guidelines.

(B) **NOTICE TO ADJACENT PROPERTY OWNERS.** When the Planning Department determines that proposed Development plans comply with the Historic District Design Guidelines, the Staff shall post the Property and provide written notice to Owners immediately adjacent to the Property, directly abutting the Property and across Public Streets and/or Rights-of-Way.

The notice shall state that the Planning Department staff has made a preliminary determination finding that the proposed plans comply with the Historic District Design Guidelines.

(C) **APPEALS.** The posting and notice shall include the location and description of the proposed Development project and shall establish a ten (10) day period to appeal Staff's determination of compliance to the Historic Preservation Board. Appeals must be written and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project and the Design Guidelines or Code provisions violated by the Staff determination.

(Amended by Ord. No. 06-56)

15-2.2-9. CRITERIA FOR BED AND BREAKFAST INNS.

A Bed and Breakfast Inn is a Conditional Use. No Conditional Use permit may be issued unless the following criteria are met:

(A) The Use is in an Historic Structure, or an addition thereto.

(B) The Applicant will make every attempt to rehabilitate the Historic portion of the Structure to its original condition.

(C) The Structure has at least two (2) rentable rooms. The maximum number of rooms will be determined by the Applicant's ability to mitigate neighborhood impacts.

(D) The size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.

(E) The rooms are available for Nightly Rental only.

(F) An Owner/manager is living on-Site, or in Historic Structures there must be twenty-four (24) hour on-Site management and check in.

(G) Food service is for the benefit of overnight guests only.

(H) No Kitchen is permitted within rental room(s).

(I) Parking on-Site is required at a rate of one (1) space per rentable room.

(J) The Use complies with Chapter 15-1-10, Conditional Use Review Process.

(Amended by Ord. No. 07-25)

15-2.2-10. VEGETATION PROTECTION.

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all such trees within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance of any Development Activity and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in in LMC Chapter 15-3-3 and Title 14.

(Amended by Ord. No. 06-56)

15-2.2-11. SIGNS.

Signs are allowed in the HR-1 District as provided in the Park City Sign Code, Title 12.

15-2.2-12. RELATED PROVISIONS.

Fences and Walls. LMC Chapter 15-4-2.

Accessory Apartment. LMC Chapter 15-4-7.

Satellite Receiving Antenna. LMC Chapter 15-4-13.

Telecommunication Facility. LMC Chapter 15-4-14.

Parking. LMC Chapter 15-3.

Landscaping. Title 14; LMC Chapter 15-3-3(D).

Lighting. LMC Chapters 15-3-3(C), 15-5-5(I).

Historic Preservation. LMC Chapter 15-11.

Park City Sign Code. Title 12.

Architectural Review. LMC Chapter 15-5.

Snow Storage. LMC Chapter 15-3-3(E).

Parking Ratio Requirements. LMC Chapter 15-3-6.

(Amended by Ord. No. 06-56)

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